

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JAMES HATCHER,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION FILE
)	NO. 1:21-CV-00058-CC-RGV
)	
CRONIC NISSAN, INC.,)	
)	
Defendant.)	

DEFENDANT’S MOTION TO DISMISS AND
TO COMPEL ARBITRATION

COMES NOW Cronic Nissan, Inc., by and through the undersigned counsel, and, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, hereby moves this Court to dismiss this matter and to compel arbitration. In support of this motion, Defendant hereto attaches and incorporates by specific reference its Memorandum of Law in Support and the exhibits annexed thereto.

WHEREFORE, Defendant herein prays that its Motion to Dismiss and to Compel Arbitration be granted and that Plaintiff’s Complaint and this action as a whole be dismissed without prejudice.

Respectfully submitted,

FREEMAN MATHIS & GARY, LLP

s/ Jill R. Dunn

Jill R. Dunn

Georgia Bar No. 602155

Matthew N. Foree

Georgia Bar No. 268702

Counsel for Defendant

100 Galleria Parkway, Suite 1600

Atlanta, Georgia 30339-5948

(770) 818-0000 (telephone)

(770) 937-9960 (facsimile)

jdunn@fmglaw.com

mforee@fmglaw.com

CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rule 7.1(D), that the foregoing **DEFENDANT’S MOTION TO DISMISS AND COMPEL ARBITRATION** has been prepared in accordance with Local Rule 5.1(C) (Times New Roman font, 14 point).

/s/ Jill R. Dunn _____

Jill R. Dunn

Georgia Bar No. 602155

Counsel for Defendant

100 Galleria Parkway
Suite 1600
Atlanta, Georgia 30339-5948
T: 770.818.0000
F: 770.937.9960
E: jdunn@fmglaw.com

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing **DEFENDANT’S MOTION TO DISMISS AND COMPEL ARBITRATION** with the Clerk of Court using the CM/ECF system which will automatically send e-mail notifications of such filing to the attorneys of record including the following:

Shimshon Wexler
S Wexler, LLC
2244 Henderson Mill Rd, Suite 108
Atlanta, Georgia 30345

This 29th day of January, 2021.

/s/ Jill R. Dunn
Jill R. Dunn
Georgia Bar No. 602155

Counsel for Defendant

100 Galleria Parkway
Suite 1600
Atlanta, Georgia 30339-5948
T: 770.818.0000
F: 770.937.9960
E: jdunn@fmglaw.com